

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY AMS D.C.
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UNITED STATES OF AMERICA
Plaintiff,

vs.

CHESTER LEE MORGAN
Defendant.

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CR. NO. 2:98-20239-B

ROBERT R. DI TROLIO
CLERK, U.S. DIST. CT.
W.D. OF TN, MEMPHIS

ORDER HOLDING PROBATIONER FOR REVOCATION HEARING

On November 17, 2004, Chester Lee Morgan appeared before me on a charge of violation of the terms and conditions of probation/supervised release in this matter. The defendant was advised of his/her rights under FRCrP 5 and 32.1(a)(1).

At this hearing, the defendant was released on bond and, therefore, a preliminary hearing on the violation was not required. See United States v. Sciuto, 531 F.2d 842, 846 (7th Cir. 1976); United States v. Tucker, 524 F.2d 77, 78 (5th Cir. 1975), cert. denied, 424 U.S. 966, 96 S.Ct. 1462, 47 L.Ed.2d 733 (1976).

Accordingly, defendant Chester Lee Morgan is held to a final revocation hearing, to be set on notice from the United States District Court and in accordance with the provisions of Rule 32.1(a)(2), Federal Rules of Criminal Procedure.

IT IS SO ORDERED this 17th day of November, 2004.

Diane K. Hearno
UNITED STATES MAGISTRATE JUDGE

This document entered on the docket sheet in compliance
with Rule 55 and/or 32(b) FRCrP on 11-18-04

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Notice of Distribution

This notice confirms a copy of the document docketed as number 124 in case 2:98-CR-20239 was distributed by fax, mail, or direct printing on November 18, 2004 to the parties listed.

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Honorable J. Breen
US DISTRICT COURT